10/516599 10/514599

DECLARATION AND POWER OF ATTORNEY - ORIGINAL APPLICATION

Attorney's Docket No. **005092.00069**

My residence, post office address and citizenship are as stated below next to my name;

I verily believe I am the original, first and sole inventor (if only one name is listed below at 201) or an original, first and joint inventor (if plural inventors are named below at 201-206) of the subject matter which is claimed and for which a patent is sought on the invention entitled **Device and Method for Ultrasonically Manipulating Fluid-Borne Particles** filed on December 3, 2004 and assigned Application No. 10/516,599 by the United States Patent and Trademark Office.

I have reviewed and understand the contents of the above-identified specification, including the claims. I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application in accordance with Section 1.56(a), Title 37 of the Code of Federal Regulations; and as to applications for patents or inventors certificate on the invention filed in any country foreign to the United States of America, prior to this application by me or my legal representatives or assigns,

no such applications have been filed, or

X such applications have been filed as follows:

Country	Application No.	Date of Filing (day,month,yr)	Date of Issue		Priority Claimed Under 35 USC 119		
USA	60/385,534	04 June 2002		Yes	X	NO	
USA	60/394,378	08 July 2002		Yes	X	NO	
PCT	PCT/US03/17274	03 June 2003		Yes	X	NO	

Power of Attorney

I hereby appoint, the practitioners associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to that Customer Number:

All correspondence and telephone communications should be addressed to:

Customer Number: <u>22910</u> Peter D. McDermott (29,411) Banner & Witcoff, Ltd.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201	Vand M. XI	DATE June 15, 2005
SIGNATURE OF INVENTOR 202		DATE
SIGNATURE OF INVENTOR 203		DATE

	T		T		
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inform that w 1001	nation and belief ar villful false statemen of Title 18 of the U	e believed to be true; and fur	ther that these statemen nunishable by fine or in	ue and that all statements made on the were made with the knowledge apprisonment, or both, under section ents may jeopardize the validity	
<u>_</u>	ATURE OF INVE			DATE	
SIGN	ATURE OF INVE	NTOR 202 AS	ana	DATE 24 May 05	
SIGN	ATURE OF INVE	NTOR 203		DATE	

201	FULL NAME OF INVENTOR	Family Name	First Given Name	Second Given Name		
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inform that w 1001 o	nation and belief are fillful false statemen	believed to be true; and furt ts and the like so made are p tited States Code, and that su	ther that these statement ounishable by fine or imp	e and that all statements made on s were made with the knowledge orisonment, or both, under section nts may jeopardize the validity of		
SIGN	ATURE OF INVEN	TTOR 201		DATE		
SIGN.	ATURE OF INVEN	TTOR 202		DATE		
SIGN	ATURE OF INVEN	TTOR 203	P	DATE 6 JUNE 2005		

Declaration and Power of Attorney - Original Application (005092.00069)